

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ANTHONY ROSIER WILSON,

Plaintiff,

vs.

ROBERT NEUSCHMID,

Defendant.

CASE NO. 18-cv-06744-YGR

**ORDER DIRECTING RESPONDENT TO SHOW  
CAUSE WHY THE PETITION SHOULD NOT  
BE GRANTED**

Petitioner, a state prisoner, has filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. (Dkt. No. 2.) It does not appear from the face of the petition that it is without merit. Good cause appearing, the Court hereby issues the following orders:

1. Respondent shall file with this Court and serve upon Petitioner, within **sixty (60) days** of the issuances of this Order, an Answer conforming in all respects to Rule 5 of the Rules Governing Section 2254 Cases, showing cause why a writ of habeas corpus should not be issued. Respondent shall file with the Answer a copy of all portions of the relevant state records that have been transcribed previously and that are relevant to a determination of the issues presented by the petition.
2. If the Petitioner wishes to respond to the Answer, he shall do so by filing a Traverse with the Court and serving it on the Respondent within **sixty (60) days** of his receipt of the Answer. Should Petitioner fail to do so, the petition will be deemed submitted and ready for decision **sixty (60) days** after the date Petitioner is served with Respondent's Answer.
3. Respondent may file with this Court and serve upon Petitioner, within **sixty (60) days** of the issuance of this Order, a motion to dismiss on procedural grounds in lieu of an Answer, as set forth in the Advisory Committee Notes to Rule 4 of the Rules


1           Governing Section 2254 Cases. If Respondent files such a motion, Petitioner shall file  
2           with the Court and serve on Respondent an opposition or statement of non-opposition  
3           to the motion within **sixty (60) days** of receipt of the motion and Respondent shall file  
4           with the Court and serve on Petitioner a reply within **fourteen (14) days** of receipt of  
5           any opposition.

- 6           4. Extensions of time are not favored, though reasonable extensions will be granted. Any  
7           motion for an extension of time must be filed no later than **fourteen (14) days** prior to  
8           the deadline sought to be extended.

9           The Clerk of the Court shall serve a copy of this Order and petition and all attachments  
10          thereto upon Respondent and Respondent's attorney, the Attorney General of the State of  
11          California.

12          **IT IS SO ORDERED.**

13  
14          Dated: April 12, 2019

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE